



The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). This Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made. Additionally, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where the plaintiff fails to file any specific objections, “a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation omitted). Because Plaintiff did not file objections to the R&R, it is reviewed for clear error.

The Court finds that the Magistrate Judge ably addressed the issues and correctly concluded, under the pertinent case law, that Plaintiff’s case should be dismissed pursuant to Rule 41(b) for failure to prosecute and failure to comply with the Court’s orders. *See* (Dkt. No. 37 at 2-3); *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982).

Accordingly, the Court adopts the R&R (Dkt. No. 37) as the order of the Court and dismisses this action pursuant to Fed. R. Civ. P. 41(b).

**AND IT IS SO ORDERED.**

s/ Richard M. Gergel  
Richard M. Gergel  
United States District Judge

August 10, 2022  
Charleston, South Carolina